

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,

Case No. 2:15-CR-0243-KJD-NJK

Plaintiff,

## ORDER

V.

MILLICENT EPINO,

Defendant.

12       Defendant's probation officer has recommended termination of supervised release and  
13 the Government does not oppose termination.

14 A district court enjoys “broad discretion” when, after it takes into account the statutorily  
15 required factors, it discharges a defendant’s supervised release. United States v. Jeanes, 150  
16 F.3d 483, 484 (5th Cir. 1998). The defendant, however, bears the burden of demonstrating that  
17 early termination of his supervised release is justified. See United States v. Weber, 451 F.3d 552,  
18 559 n. 9 (9th Cir. 2006).

19 Title 18 U.S.C. § 3583(e) states:(e) Modification of conditions or revocation. The court  
20 may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D),  
21 (a)(4), (a)(5), (a)(6), and (a)(7):

(1) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interests of justice[.]

26 The Court has considered the following factors under 18 U.S.C. §§ 3553(a): (1) the  
27 nature and circumstances of the offense and the history and characteristics of the defendant; (2)  
28 deterrence; (3) protection of the public; (4) the need to provide the defendant with educational,

1 vocational training, medical care or other rehabilitation; (5) the sentence and sentencing range  
2 established for the category of defendant; (6) any pertinent policy statement by the Sentencing  
3 Commission; (7) the need to avoid unwarranted sentence disparities among defendants with  
4 similar records who have been found guilty of similar conduct; and (8) the need to provide  
5 restitution to any victims of the offense. See 18 U.S.C. §§ 3553(a)(1), (a)(2)(B), (a)(2)(C),  
6 (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7).

7       Defendant was originally sentenced to six (6) months of custody for Conspiracy to  
8 Distribute Oxycodone. She commenced a thirty-six (36) month term of supervised release on  
9 December 16, 2016. Defendant has exhibited exemplary behavior on supervised release.  
10 Therefore, having considered the statutory and advisory factors promulgated by the Judicial  
11 Conference, the Court finds the termination of supervision is warranted by conduct of Defendant  
12 and the interests of justice.

13           Accordingly, IT IS HEREBY ORDERED that Defendant's term of supervised release is  
14           **TERMINATED immediately.**

15 | Dated this 23rd day of May, 2019.

  
Kent J. Dawson  
United States District Judge